

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESE DAVID CASILLAS CARRILLO (2);
ROSA ARACELI GRANADO (3);
FRANCISCO DUARTE FIGUEROA (6);
GABRIELA MENDOZA VASQUEZ (7);
BRITTNEY LEE ZARAGOZA (10);
SALVADOR GUDINO CHAVEZ (11);
JUVENAL LANDA SOLANO (14); ERICA
MARIA SOLIS (15); EDGAR OMAR
HERRERA FARIAS(16); JUAN BRAVO
ZAMBRANO (19); MIGUEL REYES GARCIA
(21); JOSE ADRIAN MENDOZA (23);
AND VERONICA ELVIRA CORTEZ (24),

Defendants.

No. 4:15-CR-06049-EFS-2
4:15-CR-06049-EFS-3
4:15-CR-06049-EFS-6
4:15-CR-06049-EFS-7
4:15-CR-06049-EFS-10
4:15-CR-06049-EFS-11
4:15-CR-06049-EFS-14
4:15-CR-06049-EFS-15
4:15-CR-06049-EFS-16
4:15-CR-06049-EFS-19
4:15-CR-06049-EFS-21
4:15-CR-06049-EFS-23
4:15-CR-06049-EFS-24

AMENDED¹ CASE MANAGEMENT ORDER

A pretrial conference occurred in the above-captioned matter on March 28, 2017. Defendants Carillo Casillas (2), Granados (3), Figueroa (6), Mendoza Vasquez (7), Zaragoza (10), Chavez (11), Solano (14), Solis (15), Herrera Farias (16), Zambrano (19), Reyes Garcia (21), Mendoza (23), and Cortez (24) were present, represented by counsel. Assistant U.S. Attorney Stephanie Van Marter appeared telephonically on behalf of the U.S. Attorney's Office (USAO). The

¹ This Order amends the deadlines in the Court's prior Case Management Orders, ECF Nos. 101, 258, 281, 308, 336, 340 & 361.

1 Court had previously granted Defendant Solano's motion to continue,
2 see ECF Nos. 338 & 361, but due to disagreement between the parties
3 regarding case management deadlines, the Court set March 28, 2017, as
4 the time to discuss and set additional deadlines.

5 To ensure defense counsel is afforded adequate time to review
6 discovery, prepare any pretrial motions, conduct investigation, and
7 prepare for trial, the Court sets the following deadlines, extends the
8 pretrial motion deadline, and resets one of the currently scheduled
9 pretrial conference dates. Given the designation of this case as a
10 complex case – due to the number of Defendants and the substantial
11 discovery involved – the Court finds that the continuance is necessary
12 for adequate preparation by defense counsel. Although two Defendants
13 objected to continuing trial, the Court finds that the ends of justice
14 served by granting a continuance outweigh the best interest of the
15 public and all Defendants in a speedy trial. The delay resulting from
16 the continuance is therefore excluded under the Speedy Trial Act as to
17 all Defendants.

18 Having considered the parties' proposed case schedules, ECF
19 Nos. 358 & 359, the Court now enters the following Amended Case
20 Management Order. All counsel are expected to carefully read and
21 abide by this Order and such provisions of the prior Case Management
22 Orders, ECF Nos. 101, 258, 281, 308, 336, 340 & 361, which have not been
23 superseded hereby. The Court will grant relief from the requirements
24 in this Order only upon motion and good cause shown.

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1 Accordingly, **IT IS HEREBY ORDERED:**

2 **1.** The Court finds, given the complexity of this case and
3 defense counsel's need for time to review discovery,
4 prepare any pretrial motions, conduct investigation, and
5 prepare for trial, that failing to grant a continuance
6 would result in a miscarriage of justice and would deny
7 defense counsel the reasonable time necessary for effective
8 preparation, taking into account the exercise of due
9 diligence. See 18 U.S.C. § 3161(h)(6), (7)(B)(i), (iii).
10 The Court, therefore, finds the ends of justice served by
11 granting a continuance in this matter outweigh the best
12 interest of the public and all Defendants in a speedy
13 trial. See 18 U.S.C. § 3161(h)(7)(A).

14 **2. Original Case Management Order.** Counsel must review the
15 procedures in the prior Case Management Orders, ECF
16 Nos. 101, 258, 281, 308, 336, 340 & 361, and abide by those
17 procedures except for the new compliance deadlines in the
18 following Summary of Amended Deadlines.

19 **3. Pretrial Conference**

20 **A.** The April 25, 2017 pretrial conference is **RESET** to
21 **July 10, 2017, at 1:30 P.M. in RICHLAND.** At this
22 hearing, the Court will hear motions regarding
23 discovery.

24 **B.** A pretrial conference **REMAINS SET** for August 29,
25 2017, at 10:00 a.m. in Richland. At this hearing, the
26 Court will hear all *Daubert* motions.

C. The final pretrial conference **REMAINS SET** for October 10, 2017, at 10:00 a.m. in Richland. At this hearing, the Court will hear all outstanding pretrial motions.

D. All Pretrial Conferences are scheduled to last no more than **30 minutes**, with each side allotted **15 minutes** to present their own motions and resist motions by opposing counsel. If any party anticipates requiring longer than 15 minutes, that party must notify the Courtroom Deputy at least seven days prior to the hearing. Any party who fails to provide this notice will be limited to 15 minutes.

4. **Trial.** This matter **REMAINS SET** for jury trial on **November 1, 2017**, at **9:00 a.m.** in **RICHLAND**. Counsel and Defendants shall be prepared to meet with the Court at least 30 minutes prior to the commencement of the trial.

5. Pursuant to 18 U.S.C. § 3161(h)(6), (7)(B)(i), and (iii), the Court **DECLARES EXCLUDABLE from Speedy Trial Act calculations** the period from **February 21, 2017**, the date this case was declared complex, through **November 1, 2017**, the new trial date, as the period of delay granted for adequate preparation by counsel.

6. **Summary of Deadlines**

PRETRIAL CONFERENCE	July 10, 2017 1:30 P.M. - Richland
Rule 16 expert summaries produced to other parties and emailed to Court: USAO's Experts Defendants' Experts USAO's Rebuttal Experts	July 14, 2017 July 21, 2017 July 28, 2017

1	All <i>Daubert</i> motions filed	August 7, 2017
2	PRETRIAL CONFERENCE	August 29, 2017 10:00 A.M. - RICHLAND
3	All pretrial motions filed, including motions in limine and discovery motions	September 18, 2017
4	CIs' identities, <i>Giglio</i> disclosures, and willingness to be interviewed disclosed to Defendants (if applicable)	October 2, 2017
5	Grand jury transcripts produced to Defendants	October 2, 2017
6	PRETRIAL CONFERENCE	October 10, 2017
7	Deadline for motions to continue trial	
8	Exhibit & Witness lists filed and emailed to the Court	October 20, 2017
9	Notice of any witness likely to exercise Fifth Amendment rights and/or require appointed counsel filed with the Court	October 20, 2017
10	Trial briefs, jury instructions, verdict forms, and requested voir dire filed and emailed to the Court	October 20, 2017
11	Exhibits delivered to all other parties	October 20, 2017
12	Delivery of JERS-compatible digital evidence files to the Courtroom Deputy	October 20, 2017
13	Trial notices filed with the Court	October 20, 2017
14	Exhibit binders delivered to the Court	October 23, 2017
15	Technology readiness meeting (in-person)	October 23, 2017
16	JURY TRIAL	November 1, 2017 9:00 A.M. - RICHLAND

17 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
18 Order and provide copies to all counsel, the U.S. Probation Office,
19 and the U.S. Marshals Service.

20 **DATED** this 29th day of March 2017.

21 s/Edward F. Shea
22 EDWARD F. SHEA
23 Senior United States District Judge
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